

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

COMMISSION MEETING

January 18, 2006, 8:30am
CDRPC Conference Room
One Park Place
Albany, New York 12205

MINUTES

PRESENT: Willard Bruce, Henry Dennis, John Graziano, Lucille McKnight, Stan Brownell, Mike Stammel, Fred Acunto, Chris Callaghan, Spencer Hellwig, John Murray, Raymond Gillen, Barbara Mauro, Michael Petta

ABSENT: Betty Barnette, Jayne Regan Harris, Edward Patanian, James Shaughnessy, Philip Barrett, Gary Hughes, David Vincent

PRESIDING: Fred Acunto, Chair, called the meeting to order at 8:30am

1. WELCOME/INTRODUCTION OF GUESTS

Larry Rulison from the Times Union, and Bill Hooton and George Klapischak from Seaboard Trade Centers were in attendance.

2. DECEMBER 14, 2005 MEETING MINUTES

The minutes were distributed before the meeting. No corrections were made.

Action Taken

John Graziano made a motion to approve the minutes and Mike Stammel seconded. The motion was approved unanimously.

3. FINANCIAL STATEMENT THROUGH DECEMBER 31, 2005

Rocky reported that this statement reflects an un-audited end of the year financials through December 31, 2005. The revenues are at 97.0% of the approved budget and expenses are at 94.8%. The revenue reflects the final billings through the fourth quarter of 2005 with the exception of an outstanding bill or two totaling less than \$500.

Rocky added that there is a surplus this year of revenues over expenses of approximately \$9,000.00. There is about \$96,000 cash in the bank at this time and outstanding receivables totaling just over \$18,600.

Action Taken

Mike Stammel made a motion to accept the Financial Statement, and Henry Dennis seconded. The motion was approved unanimously.

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4. PROPOSED AGREEMENT WITH SEABOARD TRADE CENTERS, INC.

Bill Hooten and George Klapischak from Seaboard Trade Centers gave a presentation to the Commission at the last meeting in December to become administrators of the Foreign Trade Zone Program. The Commission gave authorization to discuss and negotiate a proposed agreement with Seaboard Trade Centers. Rocky and David Wardle have met with both Bill Hooten and George Klapischak and have put together a proposed agreement for the Board's consideration. Michael Hall, legal counsel, reviewed the proposed agreement.

Rocky is requesting Board approval to allow CDRPC to enter into the agreement with Seaboard to act as Administrator of the Foreign Trade Zone. CDRPC would continue to serve as the Zone Grantee with the Galesi Group and Port of Albany as the Operator.

John Murray inquired if quarterly reports could be done instead of an annual report to show the progress of the program. Bill Hooten responded that he would be willing to give quarterly presentations to the Board. Bill also added that Seaboard Trade has created a subsidiary of itself called Capital District Trade Strategies in order to have an organization that is going to execute the contract focusing only on the Capital District.

Fred inquired if an appendix could be added to the agreement with a map of the zone and the boundaries that are involved.

Action Taken

Lucille made a motion to enter into an agreement with Seaboard Trade with the following added to the agreement: an appendix to the agreement with a map showing zones; and also incorporating quarterly oral presentations to the agreement. Henry Dennis seconded the motion. The motion was approved unanimously. (Subsequent to the meeting, the Board, via e-mail, agreed to the following language to be included into the agreement: "Quarterly written progress reports shall be submitted by the Administrator. Verbal progress reports to CDRPC's Board may substitute for the written report.")

5. COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN UPDATE

A Status report of the Albany Pool Phase I Long Term Control Plan (LTCP) was distributed before the meeting. The preparation of the LTCP is a requirement of each of the community's Combined Sewer Overflow SPDES permit.

The NYS DEC has approved the contract proposal submitted by CDRPC to prepare the Long Term Control Plan. It is now considered a "legal" document but still requires review and approval by both the Comptroller's and Attorney General's office.

Rocky added that we have still not received an official signed contract from the State for the \$2 million. The consultants have proceeded to do Part A of the work, and have expressed concerns continuing without a signed contract.

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Rocky is requesting action from the board to authorize the Executive Director to sign the Contracts for Part A with the consulting team. There are two separate contracts, one with Malcolm Pirnie and CDM and the other with Clough Harbour. We have received the contract from Malcolm Pirnie and Michael Hall has reviewed it.

Rocky is also requesting action to make the Executive Director an authorized representative for the purpose of State Aid Vouchers and Self Certification Forms. Currently, the CDRPC Chair is the only Authorized Representative for all purposes with regard to the CSO LTCP project. NYSDEC has indicated that it is acceptable to designate a second Authorized Representative for payment requests.

Fred Acunto added that the A&F Committee met last week to discuss these issues and the consensus of the A&F Committee was to go ahead and authorize Rocky to sign off on these contracts to keep the project moving in a timely manner.

Mike Stammel requested that Rocky provide the Board with separate budget on a regular basis to show how much money is being spent and for what purposes.

Chris Callaghan inquired if with the lack of approval from the attorney generals' office and the comptroller's office that this is a binding contract with DEC? Rocky responded that this is a "legal" document and any changes that are recommended by either the Attorney General's Office or the Comptroller's Office must again come before DEC and CDRPC.

Rocky added that the signed municipal agreements state that the communities are responsible for the full amount of Part A if the EPF grant does not come through. If the EPF grant does come through, their obligations are reduced accordingly. The consultants have stated that they are looking for a signed contract and are willing to defer getting payment until the money from the State comes through.

Action Taken

Ray Gillen made a motion to allow Rocky to sign the consultant contracts for Part A and to identify the Executive Director as an authorized representative to sign the State Aid Vouchers and Self Certification Forms for reimbursement from the State. The motion passed 11-0 with two abstentions: John Graziano and Chris Callaghan.

6. 2005: THE YEAR IN REVIEW; 2006: THE YEAR AHEAD

Rocky did a PowerPoint presentation outlining the Commission's accomplishments during 2005 and the anticipated work program for 2006.

A copy of the presentation is provided.

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Fred Acunto inquired if there is enough staff to take on the projected work for 2006. Rocky responded that yes, at this time there is enough staff. However, in 2007 there could be a need for a full-time employee to work on the CSO program.

7. STAFF ACTIVITY REPORT

The Staff Activity Report was distributed before the meeting. There was no discussion.

8. OTHER BUSINESS

There was no other business at this time.

9. NEXT MEETING DATE

The next CDRPC Commission Meeting will be held on March 15, 2006 at 8:30am. The meeting will be held at CDRPC offices.

Adjournment

Chris Callaghan made a motion to adjourn the meeting, and Mike Stammel seconded. The motion was approved unanimously.

Respectfully submitted,

John Graziano
Secretary